

### **REMARKS**

Claims 1-63 are pending in the application. Responsive to the Examiner's objection, Claims 1, 21, 22, 42, and 62 have been amended to more clearly define the invention.

Reconsideration and allowance of the above-referenced application is respectfully requested.

### **Objections to the Specification**

Applicants submit herewith a clean substitute specification, together with a marked-up copy of the specification showing the matter being added and the matter being deleted responsive to the Examiner's objections to the specification. The substitute specification is the same as the specification originally filed except the reference citation numbers have been replaced with citation references and the addition of Figure 3 under the Brief Description of the Drawings. Undersigned counsel specifically represents that the substitute specification, attached hereto contains no new matter. Entry is respectfully requested.

### **Objections to the Drawings**

As requested by the Examiner in the official action at pages 2-4, new corrected formal drawings in compliance with 37 CFR 1.121(d) are provided herewith. The drawings are Prior Art and are now correctly labeled as such. Also as requested by the Examiner in the official action and through a teleconference with undersigned counsel on February 2, 2005, provided herewith is newly added Figure 3 graphically depicting the general concept of the invention. Figure 3 is fully supported by the specification and claims as originally filed and, in particular, the Summary of the Invention. Entry is respectfully requested.

### **Rejections Under 35 U.S.C. § 112**

Claims 1 -63 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner has requested clarification of the terms “the gage marks.”

Responsive to the Examiner’s objection, Claims 1, 21, 22, 42, and 62 have been amended to clearly indicate that for each set of gage marks there is a first gage mark and a second gage mark. The claims as now amended make it clear that the first measurement is taken of the distance between the first gage mark and the second gage mark of each separate set of gage marks. The claims now also make it clear that the second measurement taken is a re-measurement of the distance between the first gage mark and the second gage mark for each set of gage marks claimed and the final step of calculating the difference is made by determining how much the first measurement and second measurement between the same set of gage marks differs after the step of stress relieving the material.

The Claims as now amended render moot the rejection under 35 U.S.C. § 112, second paragraph. Withdrawal of the rejection is respectfully requested.

## CONCLUSION

In light of the above, Applicants believe that this application is now in condition for allowance and therefore requests favorable consideration.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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### **IN THE DRAWINGS**

Corrected formal drawings in compliance with 37 CFR 1.121(d) are attached to replace the original drawings as filed with the application, April 16, 2004. In addition attached is newly added Figure 3 which graphically depicts the general concept of the invention. Entry is respectfully requested.